



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

October 27, 2017

Waiver 17-09-018

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Monique Adam is an Imaging Operator II at the Division of Central Services at the Montgomery County Department of General Services (DGS). She would like to engage in outside employment as a driver at M & W Cleaning & Janitorial, Inc., also known as Fleetwash, an entity which contracts with DGS.

DGS has one contract with Fleetwash for the cleaning of County Ride-On buses. In her County position, Ms. Adam works in the County Archive, scanning documents to be retained in digital format. In her capacity as a driver for Fleetwash, she will be tasked with driving Montgomery County Ride-On buses through the cleaning, maintenance and washing process at Fleetwash facilities, and then driving the Ride-On buses back to the County depots. Ms. Adam holds no contracting responsibilities in her roles with either entity. The proposed outside employment with Fleetwash is wholly separate from her County position.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The waiver is conditioned on Ms. Adam not working in her County capacity on matters involving any County contracts involving Fleetwash and on her not representing Fleetwash in its contractual dealings with DGS.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission.

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In reaching this decision, the Commission has relied upon the facts as presented by Ms. Adam.

For the Commission:



Steven Rosen, Chair